

1 of Change of Address specifying the new address.” See Civ. L. R. 3-11(a). Additionally, in its
2 original Order of Service issued in this matter on December 15, 2008, the court informed
3 plaintiff of his continuing obligation to prosecute this action, as follows:

4 It is plaintiff’s responsibility to prosecute this case. . . . Plaintiff must keep the
5 court and all parties informed of any change of address and must comply with the
6 court’s orders in a timely fashion. Failure to do so may result in the dismissal of
this action for failure to prosecute pursuant to Federal Rule of Civil Procedure
41(b).

7 (Docket No. 6, p. 5.)

8 Here, plaintiff has not communicated with the court since filing his motion for
9 appointment of counsel on July 16. Defendants have apprised the court that plaintiff was
10 released from San Quentin State Prison on July 13. Consequently, it appears that plaintiff has not
11 kept the court informed of his current address and that the action is thus subject to dismissal for
12 failure to prosecute.

13 Accordingly, within **twenty (20) days** of the date this order is filed, plaintiff shall notify
14 the court and defendants of his current address. If plaintiff fails to do so, this action will be
15 dismissed for failure to prosecute, based on plaintiff’s failure to keep the court informed of his
16 current address and plaintiff’s failure to comply with the court’s orders. The clerk shall serve a
17 copy of this order on plaintiff at his most recent address of record at San Quentin State Prison.

18 IT IS SO ORDERED.

19 DATED: 9/4/09


RONALD M. WHYTE
United States District Judge